



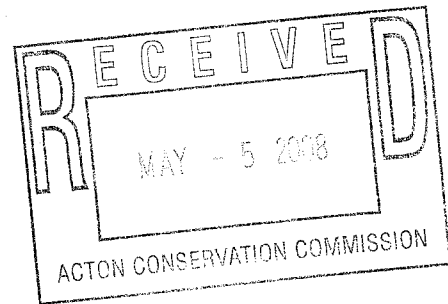
Civil & Structural Engineering • Land Planning • Land Surveying

Engineering Solutions
for Land & Structures

April 30, 2008

Acton Conservation Commission
472 Main Street
Acton, MA 01720

Subject: Wetland Protection Bylaw Waiver Request
Notice of Intent
81 River Street, Acton, MA



Dear Board Members:

On behalf of the proponent, Lothrop Mill LLC, and in accordance with the Acton Wetland Protection Bylaw Rules and Regulations, Goldsmith, Prest and Ringwall, Inc. (GPR) submits herewith a request for waivers from the aforementioned requirements. Enclosed are appropriate copies of 6 separate Notice of Intent filings for the subject property. Notices have been filed individually for the lots in order to simplify tracking within the permit process and the waivers are consistent for throughout the proposed development.

The total subject site (Lots 2A through 2F) contains 126,150± SF (2.90± Ac) on the southwest of River Street, between the street and Fort Pond Brook. The entire property is located within the 200-foot riverfront area and the proposed work, except for bioretention outfalls, is limited to the extents of the historically disturbed/degraded area. The existing structures on site extend to the river bank and have support piers within the river; additionally the degraded area extends to within 5± feet of the Bordering Vegetated Wetlands (BVW) at the north/northwest boundary of the site. Proposed construction will rehabilitate the portion of the structure that extends over the river and any proposed structures will remain 40± feet from the river and 35± from the BVW. Therefore on behalf of the proponent, Lothrop Mill LLC, and in accordance with the Acton Wetland Protection Bylaw Rules and Regulations, GPR submits herewith a request for the following waivers.

Section 3.2(2):

Requirement: 50-Foot Setback of Undisturbed Natural Vegetation

Request: No setback of undisturbed natural vegetation at portion of the site.

Support: As described herein, all proposed activity besides the bioretention outfalls will occur within the already degraded area.

Section 3.2(3):

Requirement: 75-Foot No-Build Setback to the Edge of Driveways, Roadways, and Structures

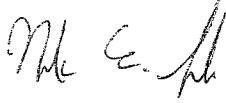
Request: No setback from structure to edge of resource area.

Support: As described above, the existing structure to be renovated is located at the bank of the river and extends to a pier within the river's limits. Proposed structures including buildings and driveways will remain 40± feet from the river and 35± from the wetland.

Goldsmith, Prest & Ringwall, Inc.

It is our opinion that the redevelopment of the site and therefore project as a whole represents a benefit to the public and is consistent with the intent and purpose of the Bylaw. Strict adherence to the Town of Acton Wetland Protection Bylaw Rules and Regulation would represent manifest injustice.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Mark E. Szela', with a stylized flourish at the end.

Mark E. Szela, PE

Copy: Lothrop Mill LLC
 GPR file